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June 28, 2024

VIA ECF

Honorable Brian R. Martinotti, U.S.D.J.
United States District Court
District of New Jersey
U.S. Post Office & Courthouse
2 Federal Square
Newark, NJ 07102

Re: *In re: Insulin Pricing Litigation*, No. 2:23-md-03080-BRM-RLS
MDL No. 3080 | Bi-weekly status report

Dear Judge Martinotti:

Pursuant to CMO #5, the parties provide the following status update for the weeks of June 17 and June 24:

- On June 21, the parties provided Judge Singh with an update regarding master discovery requests and Plaintiff Fact Sheets (PFS) (ECF #217).
- With respect to the State Attorney General Track, the parties agreed to submit their respective position statements (not exceeding five pages each) and competing case management orders to Judge Singh today.
- With respect to the Self-Funded Payer Track, this morning Plaintiffs provided a markup of Defendants' proposed PFS to Defendants identifying areas of agreement, disagreement, and potential for compromise with respect to Defendants' proposed PFS. Plaintiffs have previously stated their position that in light of the anticipated ultimate scope of Defendants' proposed PFS, additional conferral would be beneficial regarding the extent of post-PFS discovery, and whether Plaintiffs would request Defendant Fact Sheets. Defendants have agreed to confer on this issue, but generally believe these discussions are premature and the parties should first resolve the substance of Defendants' proposed PFS. Plaintiffs have requested an additional conferral and anticipate that conferral occurring next week.

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Honorable Brian R. Martinotti, U.S.D.J.
June 28, 2024—Page 2

Thank you for your continuing attention to this matter.

Respectfully submitted,

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Liaison Counsel for
Third-Party Payer Track

/s/ David R. Buchanan
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Liaison Counsel for
Self-Funded Payer Track

/s/ Joanne Cicala
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/s/ John D. Tortorella
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cc: All counsel of record